

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
VS.)
)
OWEN LEWIS FINCH,)
)
Defendant.)

Crim. No. 07-10099-JDT
Civ. No. 15-1235-JDT

ORDER REINSTATING ORIGINAL SENTENCE

This Court granted relief to Defendant Owen Lewis Finch pursuant to 28 U.S.C. § 2255 based on the decisions in *Johnson v. United States*, 135 S. Ct. 2551 (2015), and *United States v. Stitt*, 860 F.3d 854 (6th Cir. 2017) (*Stitt I*). An amended criminal judgment was entered, reducing Finch’s sentence to time served, and the United States appealed. Subsequently, in *United States v. Stitt*, 139 S. Ct. 399 (2018) (*Stitt II*), the Supreme Court reversed the Sixth Circuit’s decision in *Stitt I*. On September 18, 2019, the Court of Appeals reversed the grant of relief under § 2255 pursuant to the Supreme Court’s opinion in *Stitt II* and remanded with instructions to reinstate Finch’s original sentence. *Finch v. United States*, No. 17-5965 (6th Cir. Sept. 18, 2019). The mandate has now issued.

In light of the limited nature of the remand, solely for the purpose of reinstating the original sentence, no hearing is necessary. A second amended criminal judgment will be entered in accordance with the order of the Court of Appeals, reinstating Finch's original

sentence of 180 months in the custody of the Bureau of Prisons and a 3-year term of supervised release.

IT IS SO ORDERED.

s/ James D. Todd
JAMES D. TODD
UNITED STATES DISTRICT JUDGE